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Attorney Docket No. 65937-0003

(2)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Miller, et al.

Application No.: 09/864,031

Group Art Unit: 3736

Filed: May 23, 2001

Examiner: Charles A. Marmor, II

For: BIOPSY APPARATUS

Commissioner of Patents
P. O. Box 1450
Arlington, VA 22313-1450

TECHNOLOGY CENTER R3700

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COMMENTS ON STATEMENT OF REASONS
FOR ALLOWANCE UNDER 37 CFR §1.104(e)

Dear Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the May 16, 2003 Office Action regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element. Moreover, it is the claim language that is to be reviewed and not the comments, which do not directly track the terminology of the claims.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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X deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Arlington, VA 22313-1450.

Date: 5/30, 2003

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Kathryn L. Nash
Signature
Kathryn L. Nash

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's own positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Respectfully submitted,

Dated: May 30, 2003

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